

Californians for Renewable Energy, Inc.(CARE)

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STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

Application for Certification for the
Metcalf Energy Center [Calpine
Corporation and Bechtel Enterprises, Inc.]

) Docket No. 99-AFC-3
) **Further Evidence Supporting CARE's**
) **Motion to Disqualify evidence in**
) **the record, and expert testimony**
) **from Cal-ISO during their pending**
) **investigation by the Cal. Attorney**
) **General and FERC, for "Gaming"**

In CARE's 10-20 filing titled ***Motion to Disqualify evidence in the record, and expert testimony from Cal-ISO during their pending investigation by the Cal. Attorney General and FERC, for "Gaming"***,

"CARE contends that transmission system constraints coupled with Calpine taking two of its power plants down for scheduled maintenance on June 14, 2000 caused the rolling outage and this is the subject of CARE's FERC complaint EL01-2. CARE contends that the absence of a declaration of a Stage 3 emergency state wide on June 14, 2000 prevented the curtailment of exports during a system emergency, therefore power was export at a price of \$750/MWh or greater, while people were literally dying in the Bay area. "CARE contends that Cal-ISO and the generators are currently involved together in a ISO/generator trust to drive up the price of electricity, and justify expedited power plant construction in California to further maximize generator profits"¹, and that these activities violate federal anti-trust and civil rights statutes. June 14, 2000 provides the evidence that the continued development of merchant power plants like the MEC provides California no guarantees that the electricity will even be sold for use in California."

CARE provides additional evidence of the need for the Commission to disqualify evidence provided by the California Independent System Operator during the pending investigation. CARE provides a copy of the California Public Utilities Commission's Petition to Intervene in support of CARE's complaint FERC Docket EL01-2 (see CalPUCIntervene.pdf). CARE provides a copy of Pacific Gas and Electric's Petition to Intervene in support of CARE's complaint FERC Docket EL01-2 (see PGEIntervene.pdf). In the spirit of fairness CARE provides a copy of the Independent

¹ CARE's 10-10-00 Complaint to the Federal Energy Regulatory Commission (FERC Docket#EL01-2) may be viewed at the web site <http://www.calfree.com/FERCComplaint.htm>.

Energy Producers, Inc. petition to Intervene against support of CARE's complaint FERC Docket EL01-2, and motion to Dismiss the Complaint (see IEPMotionToDismiss.pdf).

Michael E. Boyd

Michael E. Boyd – President, CARE 10-27-00